

IC 8-9-10

Chapter 10. Railroad Employee Sanitary Facilities

IC 8-9-10-1

Duty to provide

Sec. 1. Every railroad company within the state of Indiana shall provide and adequately maintain a heated room or rooms at all terminals and headquarters in the operation of said railroad company, for the use of its employees, containing adequate wash basins, shower-baths, inside toilets, and sufficient lockers for checking employees' clothing. In addition to the foregoing, every railroad shall maintain at all permanent assembly points a supply of drinking water dispensed in a sanitary manner. A permanent assembly point under this chapter is a location where a minimum of six (6) maintenance of way employees meet for a period of not less than six (6) months of each year.

(Formerly: Acts 1965, c.154, s.1.) As amended by P.L.62-1984, SEC.138.

IC 8-9-10-2

Hearings; investigations; mandamus; preference to cases

Sec. 2. (a) Whenever the Indiana department of transportation secures reliable information, receives a complaint, or, because of reports made by the department's inspectors, has reason to believe that a railroad company in this state does not provide and adequately maintain the sanitary facilities provided for in this chapter, the department shall make an investigation as necessary. The department shall conduct a hearing at which both the railroad company and the employees affected will be given a full opportunity to present evidence as to the necessity and reasonableness of the proposed changes or improvements.

(b) When the investigation required under subsection (a) is made, the Indiana department of transportation shall report to the manager or superintendent of the railroad company. In the report and recommendations, the department shall make an accurate statement of the time the examination was made, of the exact location, character, and extent of defects or omissions, if any have been found, and shall recommend reasonable changes and improvements, additions, buildings, and accommodations, as are, in the opinion of the department, necessary to remedy the faults, neglect, requirements, or defects. The recommendations must set out specifically a reasonable time within which such improvements or changes or additions shall be made by the railroad company.

(c) If the recommendations under subsection (b) are not carried out within the time specified, then the Indiana department of transportation may commence proceedings by mandamus or other remedy in a circuit or superior court having jurisdiction to enforce compliance with its order. All courts having jurisdiction in these cases shall give preference to the cases and shall hear and determine the case speedily to the end that the employees' interests and the

public interests may not suffer.

(Formerly: Acts 1965, c.154, s.2.) As amended by P.L.62-1984, SEC.139; P.L.384-1987(ss), SEC.93; P.L.18-1990, SEC.102.